

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

RICHARD C. AMMONS, )  
Petitioner, )  
v. )  
JOHN B. FOX, Warden, ) Case No. CIV-18-265-M  
FTC Oklahoma City, )  
Respondent. )

**ORDER**

The undersigned has examined Petitioner's petition for writ of habeas corpus.

IT IS ORDERED THAT:

1. Respondent shall file an answer, motion or other response within thirty (30) days from this order's date, consistent with Rule 5(b), (d) of the Rules Governing Section 2254 Cases. The court may apply the Rules Governing § 2254 Cases to habeas petitions arising under § 2241. *See* Rule 1(b); *Whitmore v. Parker*, 484 F. App'x 227, 231 n.2 (10th Cir. 2012) (citing *Boutwell v. Keating*, 399 F.3d 1203, 1211 n.2 (10th Cir. 2005) as holding that: "The District Court . . . acted within its discretion by applying the Section 2254 Rules to this § 2241 petition.").
2. If Respondent files an answer or other response, Petitioner may file a reply within 15 days from the filing date. Rule 5(e). If Respondent files a motion, Petitioner shall file a response within 21 days after the date the motion was filed. Any motion that is not opposed within 21 days may, in the discretion of the Court, be deemed confessed. LCvR 7(g).
3. The Clerk is directed to send the petition and this order to the United States Attorney for the Western District of Oklahoma on Respondent's behalf at the following address: 210 W. Park Ave., Suite 400, Oklahoma City, Oklahoma 73102.

DATED this 13th day of June, 2018.



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SUZANNE MITCHELL  
UNITED STATES MAGISTRATE JUDGE